

PART 701—ORGANIZATION AND FUNCTIONS OF THE COMMISSION

Subpart A—Organizations and Functions

Sec.

701.1 Establishment.

701.2 Responsibilities.

Subpart B—Organization Statement

701.10 Membership of the Commission.

701.11 Commission meetings—duties of the Chairman.

701.12 Staff Director.

701.13 Staff organization and functions.

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Subpart A—Organizations and Functions

§ 701.1 Establishment.

The United States Commission on Civil Rights (hereinafter referred to as the "Commission") is a bipartisan agency of the executive branch of the Government. The predecessor agency to the present Commission was established by the Civil Rights Act of 1957, 71 Stat. 634. This Act was amended by the Civil Rights Act of 1960, 74 Stat. 86; the Civil Rights Act of 1964, 78 Stat. 241; by 81 Stat. 582 (1967); by 84 Stat. 1356 (1970); by 86 Stat. 813 (1972); and by the Civil Rights Act of 1978, 92 Stat. 1067. The present Commission was established by the United States Commission on Civil Rights Act of 1983, 97 Stat. 1301. The statutes are codified in 42 U.S.C. 1975 through 1975f. (Hereinafter, the 1983 Act will be referred to as "the Act.")

§ 701.2 Responsibilities.

(a) The Commission's authority under section 5 of the Act may be summarized as follows:

(1) To investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of color, race, religion, sex, age, handicap, or national origin;

(2) To study and collect information concerning legal developments constituting discrimination or a denial of

equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap or national origin or in the administration of justice;

(3) To appraise the laws and policies of the Federal Government with respect to discrimination or denials of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin or in the administration of justice;

(4) To serve as a national clearinghouse for information in respect to discrimination or denials of equal protection of the laws because of race, color, religion, sex, age, handicap, or national origin;

(5) To investigate sworn allegations that citizens are being accorded or denied the right to vote in Federal elections as a result of patterns or practices of fraud or discrimination;

(6) To appraise the laws and policies of the Federal Government with respect to denials of equal protection of the laws under the Constitution involving Americans who are of eastern and southern European ethnic groups and report its findings to the Congress.

(b) Under section 5(c) of the Act, the Commission is required to submit reports to the President and to the Congress at such times as the Commission, the Congress or the President shall deem desirable.

(c) In fulfilling these responsibilities the Commission is authorized by the Act to hold hearings and to issue subpoenas for the production of documents and the attendance of witnesses; to consult with governors, attorneys general, other representatives of State and local governments, and private organizations; and is required to establish an advisory committee in each State. The Act also provides that all Federal agencies shall cooperate fully with the Commission so that it may effectively carry out its functions and duties.

Subpart B—Organization Statement

§ 701.10 Membership of the Commission.

(a) The Commission is composed of eight members, not more than four of

§ 701.11

whom may be of the same political party. Four members are appointed by the President: Two members are appointed by the President pro tempore of the Senate and two members are appointed by the Speaker of the House of Representatives.

(b) The Chairman and Vice Chairman of the Commission are designated by the President with the concurrence of a majority of the Commission's members. The Vice Chairman acts as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

(c) No vacancy in the Commission affects its powers and any vacancy is filled in the same manner and is subject to the same limitations with respect to party affiliations as previous appointments.

(d) Five members of the Commission constitute a quorum.

§ 701.11 Commission meetings—duties of the Chairman.

(a) At a meeting of the Commission in each calendar year, the Commission shall, by vote of the majority, adopt a schedule of Commission meetings for the following calendar year.

(b) In addition to the regularly scheduled meetings, it is the responsibility of the Chairman to call the Commission to meet in a special open meeting at such time and place as he or she shall deem appropriate; *provided however*, that upon the motion of a member, and a favorable vote by a majority of Commission members, a special meeting of the Commission may be held in the absence of a call by the Chairman.

(c) The Chairman, after consulting with the Staff Director, shall establish the agenda for each meeting; *provided however*, that at the meeting of the Commission such agenda may be modified by the addition or deletion of specific items pursuant to the motion of a member and a favorable vote by a majority of the members.

(d) In the event that after consulting with the members of the Commission and consideration of the views of the members, the Chairman determines that there are insufficient substantive items on a proposed meeting agenda to warrant holding a scheduled meeting,

the Chairman may cancel such meeting.

§ 701.12 Staff Director.

A Staff Director for the Commission is appointed by the President with the concurrence of a majority of the Commissioners. The Staff Director is the Chief Executive Officer of the agency.

§ 701.13 Staff organization and functions.

The Commission staff organization and function are as follows:

(a) *Office of the Staff Director.* Under the direction of the Staff Director, this Office defines and disseminates to staff, policies established by the Commissioners; develops program plans for presentation to the Commissioners; evaluates program results; supervises and coordinates the work of other agency offices; manages the administrative affairs of the agency and conducts agency liaison with the Executive Office of the President, the Congress and other Federal agencies.

(b) *Office of the Deputy Staff Director.* Under the direction of the Deputy Staff Director, this Office is responsible for the day-to-day administration of the agency; evaluation of quantity and quality of program efforts; personnel administration and the supervision of Office Directors who do not report directly to the Staff Director. Units reporting directly to the Office of Deputy Staff Director are:

(1) *Equal Employment Opportunity Unit.* Under the direction of the Equal Employment Opportunity Officer, this Unit is responsible for the conduct of the agency's inhouse Equal Employment Opportunity Program.

(2) *Solicitor's Office.* Under the direction of the Solicitor, this Office is responsible for administrative law matters, including contracts, openness in government and government ethics, and the legal aspects of personnel, and labor relations issues.

(3) *Planning and Coordination Unit.* Under its Director, this unit is responsible for: coordinating the presentation of project proposals and coordinating the assignment of resources to approved projects; developing goals and priorities for projects and evaluating